

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named joint-inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe that I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR PROVIDING PROGRAMMABLE TEXTURE PROCESSING

the specification of which

is attached hereto.

X was assigned Serial No. 09/306,877 and filed May 7, 1999.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
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(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)

I hereby appoint Joseph A. Sawyer, Jr., Reg. No. 30,801; Stephen G. Sullivan, Reg. No. 38,329; Janyce R. Mitchell, Reg. No. 40,095; and Michele Liu, of SAWYER & ASSOCIATES, located at 2465 E. Bayshore Road, Suite 406, Palo Alto, California 94303, telephone (650) 493-4540, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to **Janyce R. Mitchell** at telephone number **(650) 493-4540** and all correspondence to:

SAWYER & ASSOCIATES
P.O. Box 51418
Palo Alto, California 94303

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first/joint Inventor: **Michael C. Lewis**

Residence Address: **1862 Northwest Circle**
San Jose , California 95131

Post Office Address: **SAME**

Country of Citizenship: **United States of America**

8 May 2000
Date


Signature

Full Name of second/joint Inventor: **Stephen L. Morein**

Residence Address: **44 Kinnan Way**
Basking Ridge, New Jersey 07920

Post Office Address: **SAME**

Country of Citizenship: **United States of America**

Date

Signature



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JUL 27 2000

In re Application of :
Lewis et al. :
Application No. 09/306,877 : LETTER
Filed: May 7, 1999 :
Attorney Docket No. 1262P :

SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS

Dear Mr. Morein

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Inquiries related to this communication may be addressed to the undersigned at (703) 305-1820. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

Brian Hearn
Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Assistant Commissioner
for Patent Examination Policy

cc:

JOSEPH A SAWYER JR
SAWYER & ASSOCIATES
PO BOX 51418
PALO ALTO CALIFORNIA 95403



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JUL 27 2000

SPECIAL PROGRAMS OFFICE
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In re Application of :
Lewis et al. : DECISION WAIVING RULES
Application No. 09/306,877 : AND ACCORDING RULE 47
Filed: May 7, 1999 : STATUS
Attorney Docket No. 1262P :
:

This is a decision on the petitions filed May 23, 2000, under 37 CFR §§ 1.183, 1.48(a) and 1.47, to waive the requirements of 37 CFR 1.48(a)(1), and to accept the declaration lacking the signature of the non-signing added joint inventor.

The petitions are granted.

Applicant presents the above-noted petitions, the requisite fees, a statement of the last known address of the non-signing inventor, the consent of the assignee of the originally named inventor, and a showing of diligent efforts to obtain the signature and statement of new added inventor Stephen L. Morein, which contains a statement by counsel Mitchell that a refusal was made directly to her by the non-signing inventor, who now works for a competitor.

Applicant has adequately established that a diligent effort was made to obtain the signature of newly added joint inventor Stephen L. Morein on the declaration under 37 CFR 1.63 filed May 23, 2000, and, in view of the recalcitrance of the inventor, his required statement under 37 CFR 1.48(a)(1) likewise cannot be obtained, and that any further efforts in this regard would be futile. It is agreed that under the extraordinary circumstances of this application, justice would be served by waiver of the requirements of 37 CFR 1.48(a)(1). Likewise, the same showing establishes that the declaration may be accepted under 37 CFR 1.47.

In view of the papers filed May 23, 2000, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, failed to properly set forth the inventorship, and accordingly, the inventorship has been corrected in compliance with 37 CFR 1.48(a). The inventorship has been changed by the addition of Stephen L. Morein, Basking Ridge, New Jersey.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

This file is being returned to Technology Center AU 2772.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-1820.

Brian Hearn
Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: Corrected Filing Receipt